

## **DETAILED ACTION**

### ***Status of the Application***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/24/08 has been entered.

Claims 2-114 have been cancelled. Claims 1, 115-179 are pending. Claims 123, 125, 127, 128, 141-144, 147-179 have been withdrawn. Claims 1, 115-122, 124, 126, 129-140, 145-146 are examined herein.

The terminal disclaimer filed on 10/23/08 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of US Patents 6,756,360 and 6,965,033 has been reviewed and is accepted. The terminal disclaimer has been recorded. The obviousness double patenting rejections are hereby withdrawn.

Applicant's arguments have been fully considered and found persuasive to withdraw the 103(a) rejection of the last Office Action. Claims 1, 115-122, 124, 126, 129-140, 145-146 are now free of the prior art.

In a separate matter, please disregard the Interview Summary filed on 2/5/09 as it was sent in error.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Frank Eisenschenk on 2/17/09. Specifically, Applicant has chosen to cancel all the method claims.

The application has been amended as follows:

Please cancel claims 147-179.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

Claims 1, 115-146 are free of the prior art and found allowable.

The closest prior art references are US Patents 6,756,360 and 6,965,033.

Applicant has overcome these 102(e) references used in a 103(a) rejection by filing a 103(c) exclusion of prior art under the CREATE Act.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yong S. Chong whose telephone number is (571)-272-8513. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SREENI PADMANABHAN can be reached on (571)-272-0629. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/YONG S. CHONG/  
Primary Examiner, Art Unit 1617

YSC